

James M. Bergin
Lily M. Fan
MORRISON & FOERSTER LLP
1290 Avenue of the Americas
New York, NY 10104-0050
(212) 468-8000

Attorneys for Defendants
Capital One F.S.B. (erroneously sued herein
as "Capital One Healthcare Finance") and
CIT Bank (erroneously sued herein as "CIT
Group Inc.")

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EDGAR LAVERDE, :
Plaintiff, :
-against- : No.: 07-Civ-4838 (BSJ) (GWG)
CAPITAL ONE HEALTHCARE FINANCE, CIT : ECF CASE
GROUP INC., :
Defendants. : **Rule 7.1 Statement of Defendant**
: **CIT Bank (erroneously sued herein as**
: **"CIT Group Inc.")**
:

Pursuant to Rule 7.1 of the Federal Rule of Civil Procedure, and to enable judges
and magistrate judges of the court to evaluate possible disqualification or recusal, the
undersigned counsel certifies that defendant CIT Bank, a Utah industrial bank, is a wholly
owned subsidiary of CIT Group Inc., which is publicly traded.

Dated: New York, NY
August 31, 2007

Respectfully submitted,

By: /s/ James M. Bergin
James M. Bergin
Lily M. Fan
MORRISON & FOERSTER LLP
1290 Avenue of the Americas
New York, NY 10104-0050
Telephone: 212.468.8000
Facsimile: 212.468.7900

*Attorneys for Defendants
CIT Bank (erroneously sued herein as "CIT
Group Inc.")*